

# **Exhibit 03**

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

NIKE, INC.,

Plaintiff,

v.

S2 SERVICES, INC. F/K/A S2, INC.;  
SURGEON WORLDWIDE, INC.;  
DOMINIC CHAMBRONE A/K/A  
DOMINIC CIAMBRONE; AND  
DALLAS IMBIMBO,

Defendants.

Case No. 1:24-cv-05307-NRB

**DEFENDANT AND  
COUNTERCLAIM-PLAINTIFF  
SURGEON WORLDWIDE, INC.'S  
REQUESTS FOR PRODUCTION  
OF DOCUMENTS, SET ONE, TO  
NIKE, INC.**

SURGEON WORLDWIDE, INC.;  
DOMINIC CHAMBRONE A/K/A  
DOMINIC CIAMBRONE; AND  
DALLAS IMBIMBO,

Counterclaim-Plaintiffs,

v.

NIKE, INC.,

Counterclaim-Defendant.

PROPOUNDING PARTY: SURGEON WORLDWIDE, INC.

RESPONDING PARTY: NIKE, INC.

SET NUMBER: ONE

**REQUEST FOR PRODUCTION NO. 19:**

All YOUR DOCUMENTS and COMMUNICATIONS RELATING TO any potential acquisition of any business of the DEFENDANTS and/or incorporation of their products or services into NIKE's offerings.

**REQUEST FOR PRODUCTION NO. 20:**

NIKE's COMMUNICATIONS with DEFENDANTS.

**REQUEST FOR PRODUCTION NO. 21:**

NIKE's COMMUNICATIONS about any of the DEFENDANTS or their work, internally or with any other PERSON.

**REQUEST FOR PRODUCTION NO. 22:**

All NIKE meeting minutes, calendar entries, or personal notes RELATING TO DEFENDANTS or their CUSTOMIZATION products or services.

**REQUEST FOR PRODUCTION NO. 23:**

All DOCUMENTS RELATING TO any internal discussions, by NIKE management or otherwise, about DEFENDANTS or their CUSTOMIZATION products or services, including DOCUMENTS sufficient to show the date, participants, and nature of each such discussion.

**REQUEST FOR PRODUCTION NO. 24:**

NIKE's COMMUNICATIONS with third parties about THIS ACTION.

**REQUEST FOR PRODUCTION NO. 25:**

All DOCUMENTS and COMMUNICATIONS RELATING TO any of the defamatory statements at issue in THIS ACTION per the COUNTERCLAIMS,

including documents sufficient to identify (and all of the COMMUNICATIONS between) all PERSON(S) involved in any way in conceiving, ideating, drafting, revising, finalizing, or conveying any of the defamatory statements.

**REQUEST FOR PRODUCTION NO. 26:**

DOCUMENTS sufficient to show NIKE's total annual advertising expenditures in connection with the NIKE TRADEMARKS and NIKE TRADE DRESS, as alluded to in Paragraphs 36, 44, 56, and 62 of the COMPLAINT (i.e. "Nike has also spent billions of dollars promoting [its marks]") for each year at issue, including DOCUMENTS sufficient to show any available line-item breakdown or other data specific to any CUSTOMIZATION products or services.

**REQUEST FOR PRODUCTION NO. 27:**

NIKE's monthly/quarterly and annual sales figures—i.e. units sales, gross revenues, and net profits—derived from sales in connection with the NIKE TRADEMARKS and NIKE TRADE DRESS, as alluded to in Paragraphs 36, 44, 56, and 62 of the COMPLAINT (i.e. "Nike has sold billions of products bearing [its marks]") for each year at issue, including DOCUMENTS sufficient to show any available line-item breakdown or other data specific to any CUSTOMIZATION-related products or services.

**REQUEST FOR PRODUCTION NO. 28:**

DOCUMENTS sufficient to identify all PERSONS who were or are involved in NIKE's branding, marketing or advertising, including but not limited

to in connection with DEFENDANTS' projects or CUSTOMIZATION work, and including DOCUMENTS sufficient to identify each such PERSON'S role and responsibilities in branding, marketing or advertising decisions.

**REQUEST FOR PRODUCTION NO. 29:**

DOCUMENTS comprising all research, investigation, market research, polls, studies, or surveys conducted by YOU or on YOUR behalf RELATING TO the NIKE TRADEMARKS, the NIKE TRADE DRESS, DEFENDANTS, and/or CUSTOMIZATION-related products or services.

**REQUEST FOR PRODUCTION NO. 30:**

To the extent not produced in response to the above Request as part of any given item of research, investigation, market research, polls, studies, or surveys conducted by YOU or on YOUR behalf, DOCUMENTS sufficient to show the date, any related title, the PERSON(S) conducting the research or survey, etc., and the PERSON(S) requesting the research or survey, etc.

**REQUEST FOR PRODUCTION NO. 31:**

DOCUMENTS sufficient to identify any third party CUSTOMIZATION service (i.e. that is not owned or controlled by NIKE) that does not violate NIKE's intellectual property (the NIKE TRADEMARKS and/or NIKE TRADE DRESS).

**REQUEST FOR PRODUCTION NO. 32:**

All DOCUMENTS RELATING TO any investigation YOU or anyone on YOUR behalf (including but not limited to with Colley Intelligence) conducted

into the facts underlying the COMPLAINT's allegations or any other issue RELATING TO THIS ACTION, including all related COMMUNICATIONS, instructions, findings, and evidence, as well as any related test/sample product(s). DEFENDANTS specifically request pursuant to Rule 34(a)(2) to be provided access to any such test/sample product(s) within 30 days following this Request.

**REQUEST FOR PRODUCTION NO. 33:**

DOCUMENTS sufficient to identify any and all outside agencies, consultants, or other third parties who assist NIKE in connection with intellectual property enforcement, or otherwise in connection with CUSTOMIZATION-related goods or services.

**REQUEST FOR PRODUCTION NO. 34:**

DOCUMENTS sufficient to identify NIKE's ownership, business operations, and corporate structure, including any predecessors or successors, any parent, subsidiary, or affiliate entities.

**REQUEST FOR PRODUCTION NO. 35:**

DOCUMENTS sufficient to identify NIKE's internal corporate organization, including any and all organizational charts and/or any DOCUMENTS RELATING TO NIKE's departments, divisions, or other company organization, and including DOCUMENTS to identify its executive leadership and those in management roles.

Dated: January 8, 2025

*/s/ Meredith L. Williams*

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INC., DOMINIC CHAMBRONE  
A/K/A DOMINIC CIAMBRONE,  
AND DALLAS IMBIMBO

*and*

*Counterclaim- Plaintiffs*  
SURGEON WORLDWIDE, INC.,  
DOMINIC CHAMBRONE A/K/A  
DOMINIC CIAMBRONE, and  
DALLAS IMBIMBO

**CERTIFICATE OF SERVICE**

*(Nike, Inc. v. S2, Inc d/b/a The Shoe Surgeon, et al.  
USDC SDNY Case No.. 1:24-CV-05307)*

**STATE OF CALIFORNIA, COUNTY OF ORANGE**

I am employed by the law office of Rutan & Tucker, LLP in the County of Orange, State of California. I am over the age of 18 and not a party to the within action. My business address is 18575 Jamboree Road, 9th Floor, Irvine, CA 92612. My electronic notification address is mwilliams@rutan.com.

On January 8, 2025, I served on the interested parties in said action the within: **DEFENDANT AND COUNTERCLAIM-PLAINTIFF SURGEON WORLDWIDE, INC.'S REQUESTS FOR PRODUCTION OF DOCUMENTS, SET ONE, TO NIKE, INC.** as stated below:

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☒ (BY E-MAIL) Pursuant to agreement of the parties as the preferred method of service, a copy of the foregoing document(s) was transmitted to the e-mail



addresses set forth above.

Executed on January 8, 2025, at Irvine, California.

I declare under penalty of perjury that the foregoing is true and correct.

Meredith L. Williams

(Type or print name)

*/s/ Meredith L. Williams*

(Signature)